

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

NOV 10 2011

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY DEPUTY CLERK

SHANNON PEREZ; HAROLD
DUTTON, JR.; GREGORY TAMEZ;
SERGIO SALINAS; CARMEN
RODRIGUEZ; RUDOLFO ORTIZ;
NANCY HALL and DOROTHY DEBOSE

Plaintiffs

-and-

EDDIE BERNICE JOHNSON, SHEILA
JACKSON-LEE, and ALEXANDER
GREEN, MEMBERS OF THE UNITED
STATES CONGRESS

-and-

TEXAS LEGISLATIVE BLACK
CAUCUS, TEXAS HOUSE OF
REPRESENTATIVES

-and-

TEXAS STATE CONFERENCE OF
NAACP BRANCHES; HOWARD
JEFFERSON, JUANITA WALLACE and
REV. BILL LAWSON

Plaintiff-Intervenors

v.

STATE OF TEXAS; RICK PERRY,
in his official capacity as Governor of the
State of Texas; DAVID DEWHURST,
in his official capacity as Lieutenant
Governor of the State of Texas; JOE
STRAUS, in his official capacity as Speaker
of the Texas House of Representatives;
HOPE ANDRADE, in her official
capacity as Secretary of State of the
State of Texas

Defendants

CIVIL ACTION NO.
11-CA-360-OLG-JES-XR
[Lead case]

MEXICAN AMERICAN LEGISLATIVE
CAUCUS, TEXAS HOUSE OF
REPRESENTATIVES (MALC)

Plaintiffs

-and-

THE HONORABLE HENRY CUELLAR,
Member of Congress, CD 28; THE TEXAS
DEMOCRATIC PARTY and BOYD
RICHIE, in his official capacity as Chair of
the Texas Democratic Party; and LEAGUE
OF UNITED LATIN AMERICAN
CITIZENS (LULAC) and its individually
named members

Plaintiff-Intervenors

v.

STATE OF TEXAS; RICK PERRY,
in his official capacity as Governor of the
State of Texas; DAVID DEWHURST,
in his official capacity as Lieutenant
Governor of the State of Texas; JOE
STRAUS, in his official capacity as Speaker
of the Texas House of Representatives;

Defendants

CIVIL ACTION NO.
SA-11-CA-361-OLG-JES-XR
[Consolidated case]

TEXAS LATINO REDISTRICTING
TASK FORCE, JOEY CARDENAS,
ALEX JIMENEZ, EMELDA
MENENDEZ, TOMACITA OLIVARES,
JOSE OLIVARES, ALEJANDRO ORTIZ,
AND REBECCA ORTIZ

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-490-OLG-JES-XR
[Consolidated case]

MARGARITA V. QUESADA; ROMEO
MUNOZ; MARC VEASEY; JANE
HAMILTON; LYMAN KING; and
JOHN JENKINS

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas; and
HOPE ANDRADE, in her official
capacity as Secretary of State for the
State of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-592-OLG-JES-XR
[Consolidated case]

JOHN T. MORRIS

Plaintiff

v.

STATE OF TEXAS; RICK PERRY, in his
official capacity as Governor of the State
of Texas; DAVID DEWHURST, in his
official capacity as Lieutenant Governor of
the State of Texas; JOE STRAUS, in his
official capacity as Speaker of the Texas
House of Representatives; and HOPE
ANDRADE, in her official capacity as
Secretary of State of the State of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-615-OLG-JES-XR
[Consolidated case]

EDDIE RODRIGUEZ, MILTON GERARD
WASHINGTON, BRUCE ELFANT,
ALEX SERNA, SANDRA SERNA,
BETTY F. LOPEZ, DAVID GONZALEZ,
BEATRICE SALOMA, LIONOR SOROLA-
POHLMAN; ELIZA ALVARADO;
JUANITA VALDEZ-COX; JOSEY
MARTINEZ; NINA JO BAKER; TRAVIS
COUNTY and CITY OF AUSTIN

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas;
DAVID DEWHURST, in his
official capacity as Lieutenant Governor
of the State of Texas; JOE STRAUS,
in his official capacity as Speaker of
the Texas House of Representatives;
HOPE ANDRADE, in her official
capacity as Secretary of State of the
State of Texas; STATE OF TEXAS;
BOYD RICHIE, in his official capacity
as Chair of the Texas Democratic Party;
and STEVE MUNISTERI, in his official
capacity as Chair of the Republican
Party of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-635-OLG-JES-XR
[Consolidated case]

WENDY DAVIS; MARC VEASEY;
ROY BROOKS; VICKY BARGAS;
PAT PANGBURN; FRANCES DELEON;
DOROTHY DEBOSE; and SARAH
JOYNER

Plaintiffs

v.

RICK PERRY, in his official capacity
as Governor of the State of Texas;
HOPE ANDRADE, in her official
capacity as Secretary of State of the
State of Texas; BOYD RICHIE, in his
official capacity as Chair of the Texas
Democratic Party; and STEVE MUNISTERI,
in his official capacity as Chair of the
Republican Party of Texas

Defendants

CIVIL ACTION NO.
SA-11-CA-788-OLG-JES-XR
[Lead case]

LEAGUE OF UNITED LATIN
AMERICAN CITIZENS (LULAC),
DOMINGO GARCIA

Plaintiffs

v.

RICK PERRY, et al

CIVIL ACTION NO.
SA-11-CA-855-OLG-JES-XR
[Consolidated case]

ORDER

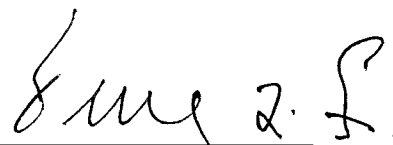
The parties have all filed advisories with the Court indicating that they do not wish to proceed with trial on the merits of the plaintiffs' challenges to the State's enacted Senate plan in Cause No. 11-CA-788. None of the parties deem it necessary at this time, and would prefer that the Court spend its time preparing interim plans so the 2012 elections can move forward in a timely manner.

After considering the parties' advisories and the status of the proceedings in this Court and in the District Court in D.C., the Court agrees with the parties. A trial on the merits of the challenges to the enacted Senate plan should be postponed until such time as it becomes necessary to address the merits of those challenges.

In addition, the Court has determined that a status conference will be more productive if it is postponed for a brief period of time, during which the Court will continue its work on interim plans. The status conference previously scheduled for Monday, November 14, 2011 is cancelled, but the Court will hold a status conference in the very near future.

This decision is based on a majority of the panel. Circuit Judge Jerry Smith dissents from the decision to postpone the trial and status conference.

SIGNED this 10th day of November, 2011.



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE